

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ignacio Noriega-Ramirez,

Civil No. 05-1895 (RHK/JSM)

Petitioner,

ORDER

v.

United States of America,

Respondent.

The above-entitled matter comes before the Court upon the Objections to the September 7, 2005, Report and Recommendation of United States Magistrate Judge Janie S. Mayeron. A de novo review of the Report and Recommendation and the Objections thereto has been conducted.

For the reasons set forth in the Report and Recommendation of the Magistrate Judge, and upon all of the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. The Objections (Doc. No. 3) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 2) is **ADOPTED**; and
3. Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241 (Doc. No. 1) is **DISMISSED** for lack of jurisdiction.

Dated: September 28, 2005

s/Richard H. Kyle
RICHARD H, KYLE
United States District Judge